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**TRANSMITTAL LETTER TO THE UNITED STATES  
 DESIGNATED/ELECTED OFFICE (DO/EO/US)  
 CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER  
 02296.002350

U.S. APPLICATION NUMBER (if known) **10/522929**

INTERNATIONAL APPLICATION NO.  
 PCT/GB03/003162

INTERNATIONAL FILING DATE  
 23 July 2003

PRIORITY DATE CLAIMED  
 23 July 2002

TITLE OF INVENTION  
 POLYOL COATED FOOD PRODUCT

APPLICANT(S) FOR DO/EO/US  
 Andrew Gordon Johnston et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:


1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **Published international application with Article 19 Amendments and search report; Letter re renumbering of claims 29-42 to 28-41**

This collection of information is required by 37 CFR 1.51. The information is required to obtain or retain a benefit by the public which is to file (and by the PTO to process) an application. Confidentiality is governed by 35 U.S.C. § 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. <b>10/522929</b>		INTERNATIONAL APPLICATION NO. PCT/GB03/003162		ATTORNEY'S DOCKET NUMBER 02296.002350	
21. The following fees are submitted:					
<input type="checkbox"/>	a) Basic national fee	\$300.00	\$ 300		
<input type="checkbox"/>	b) Examination fee	\$200.00	\$ 200		
<input type="checkbox"/>	c) Search fee	\$500.00	\$ 500		
<b>TOTAL OF ABOVE CALCULATION =</b>			<b>\$1000</b>		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	39 -20 =	19	X \$50.00	\$950	
Independent Claims	4 - 3 =	1	X \$200.00	\$200	
Multiple dependent claim(s) (if applicable)			+		
			\$360.00		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1,950	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$1,950	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
<b>TOTAL NATIONAL FEE =</b>				\$1,950	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
<b>TOTAL FEES ENCLOSED =</b>				\$1,950	
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$1,950 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-1205</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</b></p>					
SEND ALL CORRESPONDENCE TO: Fitzpatrick, Cella, Harper & Scinto 30 Rockefeller Plaza New York, NY 10112-3800			<div style="text-align: right;">             SIGNATURE            Raymond R. Mandra            NAME            34,382            REGISTRATION NUMBER         </div>		

10/522929

DT05 d PCT/PTO 24 JAN 2005

02296.002350

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
UNDER 35 U.S.C. 371

TRANSMITTAL LETTER

POLYOL COATED FOOD PRODUCT

Inventors:

Andrew Gordon Johnston  
Jeremy L. Meyer

EXPRESS MAIL mailing label number EV 304107059 US

DATE OF DEPOSIT January 24, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P. O. Box 1450 Alexandria, Virginia 22313-1450

Raymond R. Mandra

(Name of Attorney for Applicant)



(Signature of person mailing paper or fee)

10/522929

DT05 Rec'd PCT/PTO 24 JAN 2005

Chartered Patent Attorneys  
European Patent Attorneys  
Trade Mark Attorneys  
European Trade Mark Attorneys

Telephone +44 (0)20 7242 0901  
Fax +44 (0)20 7242 3290/0286  
E-mail [r&g@reddie.co.uk](mailto:r&g@reddie.co.uk)  
Website [www.reddie.co.uk](http://www.reddie.co.uk)

Reddie &amp; Grose

16 Theobalds Road  
London WC1X 8PL

FAXED

## FACSIMILE

WIPO,  
34, Chemin Des Colombettes,  
1211 Geneva 20,  
SWITZERLAND.

URGENT

Attention: Mr. Fred Samuels

14 January 2004  
RCA/TMcN/44161.WO01

Dear Sirs,

International Patent Application No. PCT/GB03/03162  
Mars, Incorporated  
Our File: 44161.WO01

Thank you for your telephone call this morning requesting amended claims by this afternoon for inclusion in the PCT publication.

You drew attention to the fact that there is no claim 28 in the claims submitted under Article 19. I file herewith new pages 16 to 18 in which previous claims 29 to 42 have now been re-numbered 28 to 41 so as to close the gap.

Thank you for drawing attention to the error. I apologize for the somewhat continued confusion over the claims.

If you have any further queries today, please contact the writer by telephone.

Yours faithfully,



R.C. Abnett  
Professional Representative  
[richard.abnett@reddie.co.uk](mailto:richard.abnett@reddie.co.uk)

En c

He rang 4.30 pm.  
All was OK.  
Rlt.

Also at: 5 Shaftesbury Road, Cambridge CB2 2BW  
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R&amp;G

10/522929

DT05 Rec'd PCT/PTO 24 JAN 2005

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
UNDER 35 U.S.C. 371

PRELIMINARY AMENDMENT  
POLYOL COATED FOOD PRODUCT

Inventors:

Andrew Gordon Johnston  
Jeremy L. Meyer

EXPRESS MAIL mailing label number EV 304107059 US

DATE OF DEPOSIT January 24, 2005

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Raymond R. Mandra

(Name of Attorney for Applicant)



(Signature of person mailing paper or fee)